UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/C.3/50/9
17 November 1995

ORIGINAL: ENGLISH

Fiftieth session
THIRD COMMITTEE
Agenda item 112 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 13 November 1995 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a memorandum in connection with General Assembly resolution 49/197 of 23 December 1994, entitled "Situation of human rights in Myanmar".

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda item 112 (c).

(Signed) Win MRA
Ambassador
Permanent Representative

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ANNEX

Memorandum submitted by the Government of Myanmar on the latest developments in Myanmar

Introduction

Myanmar is a Union made up of over 100 different national races. Unity among the different national races is essential for the preservation of the independence and sovereignty as well as for the economic and social progress of the country. Hence, the Government's commitment is to safeguard the three cardinal national causes, namely, to prevent the disintegration of the Union, to ensure the non-disintegration of national solidarity and to ensure the perpetuity of the country's sovereignty.

Twelve objectives of the Government

In forging the transition to a peaceful, prosperous, modern and developed nation, the leadership of the country has formulated clear objectives and goals, which may be encapsulated as follows:

Four political objectives:

- Stability of the State, community peace and tranquillity, and prevalence of law and order;
- National reconciliation;
- Emergence of a new enduring State Constitution;
- Building of a new modern developed nation in accord with the new State Constitution;

Four economic objectives:

- Development of agriculture as the base and all-round development of other sectors of the economy as well;
- Proper evolution of the market-oriented economic system;
- Development of the economy, inviting participation in terms of technical know-how and investments from sources inside the country and abroad;
- The initiative to shape the national economy must be kept in the hands of the State and the national peoples;

Four social objectives:

- Uplift of the morale and morality of the entire nation;

- Uplift of national prestige and integrity and preservation and safeguarding of the cultural heritage and national character;

- Uplift of the dynamism of the patriotic spirit;

- Uplift of the health, fitness and education standards of the entire nation.

Notwithstanding the constant stream of criticism and invectives, no one can deny the fact that the Union of Myanmar today has come out of the past and is steadily on course towards the goal of a modern, peaceful and developed nation.

Progress at the National Convention

The National Convention, composed of 700 delegates from eight strata representing all walks of life, has to date made far-reaching progress in evolving by consensus a strong and enduring Constitution which would reflect the aspirations of all the national races of the Union. A number of vitally important basic principles of the Constitution, such as the structure of the State and the delicate matter of restructuring self-administered zones/areas, have been framed, and the remaining issues will be discussed and agreed to after scrupulous and painstaking consultations step by step.

Myanmar's adherence to the principles of the Charter of the United Nations

As a responsible number of the United Nations and as an unwavering advocate of the values it represents, the Union of Myanmar has all along upheld and adhered to the basic norms enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights.

Fulfilment of basic human rights

Myanmar believes that meeting the basic needs of the people - food, clothing and shelter - is the very basis of human rights. Accordingly, the Government is giving priority to fulfilling the basic requirements of the livelihood of the people and promoting their standard of living. In so doing, not only has the Government achieved food security for the nation as a whole, but has also been able to export over a million ton of rice for fiscal year 1994/95. Only when the basic needs of the people are met, can other rights be fulfilled.

Commitment to development of border areas and national races

The national races in the border areas have lagged quite behind in economic and social development owing mostly to the domination by the armed insurgent groups after Myanmar regained its independence. The Government initially set up a committee for development of border areas in 1989 and subsequently established a Ministry for the Progress of the Border Areas and National Races and Development Affairs in 1992 to actively implement the projects and in order to carry out a comprehensive, integrated socio-economic development programme in the border areas. The Government believes that in elevating the socio-economic conditions of the border areas where poppy cultivation used to be the main

source of income, the development programmes will also contribute towards international efforts to combat the drug menace.

Combating the menace of narcotic drugs

Doubts have been expressed about the commitment of the Government of Myanmar to combatting the menace of narcotic drugs. The fact of the matter is that Myanmar has always treated anti-narcotics measures as a national responsibility. In the Government's national strategies against drugs, a new approach was launched beginning 1988, the key concept of which is to alleviate the poverty of the peoples in the border areas by providing them with alternative means of livelihood, while at the same time working to raise their awareness of the magnitude of human misery resulting from drugs.

To ensure a maximum impact in drug eradication in the region, the Government of Myanmar has concluded narcotics suppression and cooperation agreements with all five neighbouring countries sharing common borders. An agreement to undertake exchange of information about narcotic drug control has been signed recently with Viet Nam, and proposals to enter into similar agreements have also been made to Malaysia and the Russian Federation. A vivid example of the seriousness and resolve of Myanmar in the fight against the drug menace can be seen in the Government's recent offensive against the terrorist drug king Khun Sa, in which a considerable number of lives were sacrificed on the part of the Myanmar Armed Forces.

Return of 15 armed groups to the legal fold

It is most gratifying that a total of 15 armed groups out of 16, having trust in the sincerity and goodwill of the Government, have returned to the legal fold and are now working together with the Government for the development of their respective regions.

Voluntary donation of labour

All over Myanmar, the local populace is voluntarily cooperating in various development projects - building monasteries, pagodas, roads, bridges, dams, schools and hospitals - as a measure of people's participation in the development projects. This voluntary donation of labour is a common precept in Myanmar tradition and culture which human rights activists in the West might find difficult to comprehend.

Lifting of restrictions placed on Daw Aung San Suu Kyi

There is no cause for the Government to discipline any person unless peace and tranquillity and the national interest of the State are threatened. The case of Daw Aung San Suu Kyi has been transformed into a symbolic test of the sincerity and integrity of the Government concerning maintenance of law and order. She had been placed under restraint because she contravened existing law. The restrictions placed on Daw Aung San Suu Kyi have been lifted since 10 July 1995 in accordance with the law under which legal action was taken against her, and she is now a private citizen with all the rights that a Myanmar

citizen is entitled to enjoy. It hardly needs to be stressed that individual interests must be subordinated to the larger interest of the nation.

Myanmar's cooperation with the United Nations

Myanmar is acutely aware of its commitment and obligations under the Charter of the United Nations, and has consistently cooperated with the United Nations. Myanmar has received the representatives of the Secretary-General of the United Nations on three occasions, the latest of which was in August this year. The Special Rapporteur on the human rights situation in Myanmar has also been received annually since 1992.

Stability in Myanmar contributes to regional peace and stability

In the regional context, the situation in Myanmar never assumed crisis of a proportion to disturb regional peace and stability. Myanmar's stability since regaining her independence has, in a way, contributed to peace and stability in the region. The Instrument of Accession of the Union of Myanmar to the Treaty of Amity and Cooperation in Southeast Asia was deposited with the Minister for Foreign Affairs of Brunei Darussalam and Chairman of the Twenty-eighth Meeting of the Association of South-East Asian Nations (ASEAN) Standing Committee during the 1995 ASEAN Ministerial Meeting, which was held in Brunei Darussalam on 29 and 30 July 1995. The accession to the Treaty of Amity and Cooperation in Southeast Asia is the first concrete step taken by the Government towards eventual entry into ASEAN.

Myanmar's position

In view of the positive evolving situation in Myanmar, in particular, the concrete steps taken by the Government to advance the process of national reconsolidation, democratization and socio-economic development of the country, including the enjoyment of basic human rights by the people, Myanmar is of the view that there no longer exists a rationale for consideration of the situation in Myanmar.